

4/5/2023

Howard Industrial Park Subdivision
Formerly Little Mountain Subdivision

Written response to comments received from County review staff

If any portion is being dedicated. The dedication needs to be added to the Owner's Dedication.

- See updated subdivision plat with written dedication language

Permanent street monuments

- See updated subdivision plat with street monuments shown

900 S ROW width specified on the County Transportation plan. Please dedicate 10' of ROW.

- County transportation plan was updated after this project was submitted and does not apply. Aug 26 direction from county confirms
 - 4. Label 900 South road as public, and show the ROW width. The Transportation Plan shows that 900South ROW needs to be 100' wide.
- Existing right of way is 100 ft.
- Discussion with county staff resulted in property owner offering to dedicate a 10 ft road protection easement. Building setbacks will be measured from the protection easement. See updated subdivision plat and updated engineered site plan drawings.

Lot frontage public utility easements. Each lot shall have a ten-foot public utility easement abutting a street right-of-way and spanning the lot width.

- Discussion with county staff regarding existing private utilities in the easement resulted in understanding that the utility easement must remain private.
- The private road and utility easement agreement provides opportunities for additional utilities to be installed in the easements.

We recommend that there be a cross access easement wide enough for lot one to be able to access 9175 West. This will be required if the county restricts access to lot 1 from 900 S. It is still recommended even if access for lot 1 is not restricted.

- Lot 1 does not require a cross access easement for alternate access through Lot 3. The existing private utility easement provides rights for lot 1 to reach the utilities as needed. Lot 1 receives its vehicular access directly from 900 S as previously approved. Feb 2, 2023 direction from county confirms
 - 8. Include a plat note stating that access from 900 South is available from lot [1] only.

This [Agriculture] note is not applicable in the M-3 Zone

- See updated subdivision plat with note removed

30' public pathway easement as depicted in the Future Street and Transit Map of the Western Weber General Plan.

- Future street and transit map was adopted after this project was submitted. It does not apply. The idea of a future pathway along the ditch is not expected to be needed in the near future and none of the adjacent property has provided a pathway easement. There is no reasonable connection between the burdens created by this project and the proposed public pathway. State and Federal laws regarding takings of private property and exactions from local governments do not allow this dedication requirement without fair compensation to the land owner.
- A private utility and drainage easement is shown on the subdivision plat. This will adequately protect the ditch

Dedicate the land under the private street (9175 W) to the county

- The dedication code is tied to the possibility that the road is contemplated to be converted to a public street in the future. The owner intends to build a private street. If the owner intends to dedicate the ROW and road to the public at some future date, the county has several requirements for that. The requirements in Section 106-2-2.1 (b) provides an option for the creation of a private street that is intended to become public at some point in the future
- This road is a private cul-de-sac with no intention of future conversion to a public street per Nov 15, 2022 meeting.
 - Gary insists that they use the private road for Janisan and Little Mtn. Developments.
- Further, Feb 2, 2023 direction from county confirms
 - 4. The single access point (Little Mountain Road) is approved to be a private 66' ROW which needs to be at least 200' long.
 - 5. The subdivision plat should dedicate the Little Mountain Road as private.
 - 6. An HOA should be created for the maintenance of the private road.
- This private road is to be constructed and maintained in accordance with agreements between the lot owners. Such agreement has already been reviewed and accepted by county per March 1, 2023 email
 - Hi Rob,
I did have a chance to look it over. It looks very well put together.
I have no recommendations.
Thank you for allowing us to review it.
Felix Lleverino

This permanently dead-end street is longer than allowed.

- See updated subdivision plat, engineered site plan and road plan /profile sheet showing the shortened cul-de-sac